

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2205

Chapter 114, Laws of 1999

56th Legislature  
1999 Regular Session

DUI ARREST--COURT APPEARANCE--TIME OF

EFFECTIVE DATE: 7/25/99

Passed by the House March 10, 1999  
Yeas 97 Nays 0

CLYDE BALLARD  
Speaker of the House of  
Representatives

FRANK CHOPP  
Speaker of the House of  
Representatives

Passed by the Senate April 9, 1999  
Yeas 49 Nays 0

BRAD OWEN  
President of the Senate

Approved April 23, 1999

GARY LOCKE  
Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2205** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER  
Chief Clerk

TIMOTHY A. MARTIN  
Chief Clerk

FILED

April 23, 1999 - 3:32 p.m.

Secretary of State  
State of Washington

---

HOUSE BILL 2205

---

Passed Legislature - 1999 Regular Session

State of Washington                      56th Legislature                      1999 Regular Session

By Representatives McDonald, Lovick, Carrell, Constantine and Haigh

Read first time 02/19/1999. Referred to Committee on Judiciary.

1            AN ACT Relating to the mandatory court appearance following arrest  
2 for DUI; and amending RCW 46.61.50571.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 46.61.50571 and 1998 c 214 s 5 are each amended to  
5 read as follows:

6            (1) A defendant who is arrested for an offense involving driving  
7 while under the influence as defined in RCW 46.61.502, driving under  
8 age twenty-one after consuming alcohol as defined in RCW 46.61.503, or  
9 being in physical control of a vehicle while under the influence as  
10 defined in RCW 46.61.504, shall be required to appear in person before  
11 a magistrate within one judicial day after the arrest if the defendant  
12 is served with a citation or complaint at the time of the arrest. A  
13 court may by local court rule waive the requirement for appearance  
14 within one judicial day if it provides for the appearance at the  
15 earliest practicable day following arrest and establishes the method  
16 for identifying that day in the rule.

17            (2) A defendant who is charged by citation, complaint, or  
18 information with an offense involving driving while under the influence  
19 as defined in RCW 46.61.502, driving under age twenty-one after

1 consuming alcohol as defined in RCW 46.61.503, or being in physical  
2 control of a vehicle while under the influence as defined in RCW  
3 46.61.504, and who is not arrested, shall appear in court for  
4 arraignment in person as soon as practicable, but in no event later  
5 than fourteen days after the next day on which court is in session  
6 following the issuance of the citation or the filing of the complaint  
7 or information.

8 (3) At the time of an appearance required by this section, the  
9 court shall determine the necessity of imposing conditions of pretrial  
10 release according to the procedures established by court rule for a  
11 preliminary appearance or an arraignment.

12 (4) Appearances required by this section are mandatory and may not  
13 be waived.

Passed the House March 10, 1999.

Passed the Senate April 9, 1999.

Approved by the Governor April 23, 1999.

Filed in Office of Secretary of State April 23, 1999.